

VILLAGE BOARD MEETING
Minutes
October 2, 2013

CALL TO ORDER: 7:00 p.m.

The Pledge of Allegiance was led by Mayor Lobene.

BOARD MEMBERS PRESENT

Joyce Lobene, Mayor
Glenn Granger, Trustee

Gary Penders, Trustee
Charles Hopson, Trustee

BOARD MEMBERS ABSENT

Carol J. Nellis-Ewell, Trustee

OTHERS PRESENT

Craig Byham, Luther Jacobs Way
Jill Cordts, Amity Street
Mr. Goodison, Café Macchiato
Ray Kuntz, Jr, Coolidge Avenue
Owen McIntee, SME Superintendent
Joan Quigley, Maplewood Avenue
Ted Rauber, Ballard Avenue
Kris & Glynne Schultz, Schultz Associates
Jacqueline Sullivan, Village Clerk
Tom West, DPW Superintendent
David Wohlers, Clark Street
(4) Participation in Government Students

APPROVAL OF MINUTES

A motion was made by Trustee Hopson, seconded by Trustee Penders and carried that the minutes of the regular board meeting September 4, 2013 be approved as read.

A motion was made by Trustee Penders, seconded by Trustee Hopson and carried that the minutes of the workshop meeting September 18, 2013 be approved as read.

Privilege of the Floor

Mr. Kris Schulz addressed the Village Board regarding the parking issues in the municipal parking lot located directly north east of West Avenue and Church Street. Mr. Schultz indicated that customers to his business and other business in the area cannot find parking in the lot due to post office employees not parking in the assigned municipal spaces located directly south of the post office. At this time the assigned post office spaces are filled with mail trucks due to the consolidation of the North Chili and Spencerport post offices.

Mr. Schultz continued that he had approached the postmaster with suggestions for employees to park elsewhere and the postmaster indicated that there was nothing that they could do to alleviate parking congestion.

Mr. Schultz suggested that the Village post 2 hour parking south of the assigned municipal spaces for the post office so that they will be freed up for business customers.

Trustee Granger questioned if there was an agreement in place.

Attorney Olson responded that there is an agreement however it was never signed or recorded in the county clerk's office.

Discussion ensued regarding the process of enforcing the 2 hour parking.

Trustee Penders commented that the police department should enforce the parking.

Through discussion it was determined that a local law must be established to post the area for 2 hour parking and that Attorney Olson will create the local law and a date for a public hearing will be set at the workshop on October 16, 2013.

Mr. David Wohlers, Clark Street commented that he had mentioned that he spoke to the Mayor regarding the maintenance of the property located at the end of Amity Street and behind Evergreen Street in addition Mr. Wohlers has been made aware of a rat infestation.

Attorney Olson questioned where Mr. Wohlers heard about the rat infestation.

Mr. Wohlers responded that he heard about the rat infestation through a conversation in the Village and that he drove down there and saw the over grown weeds.

Attorney Olson responded that there are a lot of the things the Village can and cannot do and at this time it is being reviewed.

Trustee Granger questioned why the Village can't cut the weeds down.

Attorney Olson indicated that the property maintenance code needs to be followed.

Mr. Craig Byham, Luther Jacobs Way questioned what the Village intends on spending on the new found monies in the Village coffers reported by the Democrat and Chronicle with information from the recent OSC Audit of the Village's finances.

Trustee Penders indicated that there is a workshop meeting scheduled for Wednesday, October 30th at 4:30 p.m. to review the unreserved balances and to determine a long term approach to reduce balances appropriately. Trustee Penders added that during the winter months the electric fund does take short term borrowings from the general fund due to the timing of the invoices for power and the collection of revenues rather than borrowing money from financial intuitions.

Administrative Committee – Mayor Lobene, Chair

Resolution 51 10/2013

Introduced by: Mayor Lobene

Seconded by: Trustee Granger

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the permit for the Holiday Event; 1 Mile Candlelight Caroling Stroll Sunday, December 8, 2013 from 12:30 p.m. to 6:30 p.m. Closing Union Street between Amity Street and West Avenue for the duration of the event.

Vote of the Board:	Glenn C. Granger, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Absent
	Gary Penders, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Joyce Lobene, Mayor	Aye

Sewers Committee – Trustee Hopson, Chair

Trustee Hopson explained that the out of village sewer committee including himself, Mayor Lobene, Attorney Olson, Treasurer Kimbler, Clerk Sullivan and DPW Superintendent West to develop out of village fees for entrance into the Village sewer system. The group met due to inquiries from a developer for a property on Big Ridge Road and a single conversion of a property from a septic system. Trustee Hopson continued that the fee was developed with consideration to current debt, the continued need to address inflow and infiltration and sewer budget revenues and expenses.

Resolution 52 10/2013

Introduced by: Trustee Hopson

Seconded by: Trustee Granger

Whereas, Article VIII of Chapter 250 of the Spencerport Village Code sets forth the procedure for setting out of district fees for properties outside of the Village limits connecting to the Village sanitary sewer system; and

Whereas, the Sanitary Sewer Out-of-Village Review Committee met and reviewed pending projects outside of the village that may connect to the Village's sanitary sewer system; and

Whereas, the Sanitary Sewer Out-of-Village Review Committee reviewed the "Engineer's Report and Environmental Information Document for the Spencerport Pump Station, Forcemain and Gravity Sewer Improvement Project" dated December, 2006, prepared by MRB Group (hereinafter "Engineer's Report"); and

Whereas, this action is an Type II Action under the State Environmental Quality Review Act Regulation §617.5(c) (20) & (27) and not subject to further review under said regulations; and

Whereas, the Village Board has reviewed the recommendations of the Sanitary Sewer Out-of-Village Review Committee;

Now, therefore, be it resolved:

Section 1. That the Village Board hereby the adopts the Schedule of Fees attached hereto which provides for an increasing per unit “Inception to Date Capital Charge” based on the time of the payment of the fee. In addition to the “Inception to Date Capital Charge” there shall also be a \$1,000.00 per unit “Inflow and Infiltration” fee payment, a \$500.00 per unit Administration Surcharge and a \$500.00 per connection Tap Fee.

Section 2. That with respect to properties outside of the village which are converting from existing septic systems, the fee shall be set at \$1,000.00 plus a \$500.00 per connection tap fee.

Section 3. That for new construction, this resolution is limited to those areas shown in red (Proposed Pump Station Under Phase I of the Regional Plan) on the “Regional Sewerage Plan” map attached to the Engineer’s Report; and

Section 4. That nothing contained herein shall be construed as to change the requirement in §250-45 C of the Spencerport Village Code relative to approval by the Monroe County Health Department and other government agencies having approval authority over the project.

Section 5. That this resolution shall take effect immediately.

Vote of the Board:	Glenn C. Granger, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Absent
	Gary Penders, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Joyce Lobene, Mayor	Aye

Sewer Connections - New Customers
 Proposal of Charges
 24-Sep-13

Per Unit*				
Entrance Fee	Per Gallon per Day I&I	Admin. Surcharge per unit	Permit & Inspection	Per Unit Sub-Total

Per Connection*		
Tap Fee (A)	X number of Connections (B) **	Total Tap Fee (A * B)

New Construction

Inside Village

Residential	-		500	500
Commercial	-		500	500
Industrial	-		700	700

		-
		-
		-

Outside Village

	1,100	1,000	500	-	2,600
Varies: See CHART below	= 60K Gal Avg / 365 * \$6.08				

500		-
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Convert from Septic

Outside Village

-	1,000	-	-	1,000
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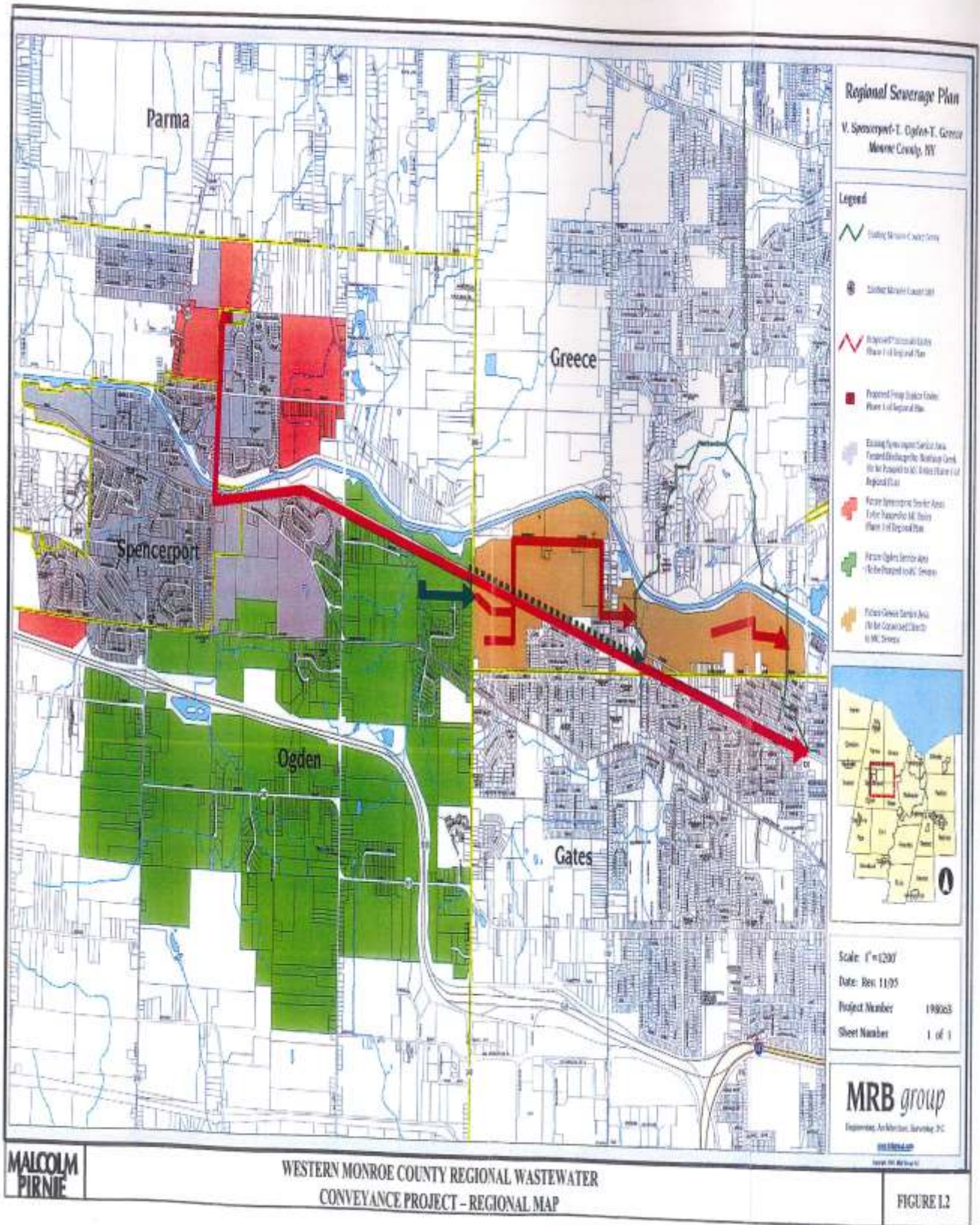
500		
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* Above costs do not include Application Fees

** Requires separate calculation for each application

CHART: Outside Village Entrance Fee Calculation

Paid at Time of Bldg Permit Application, No later than:		Fiscal Year	Basis	New fiscal year Capital Charge per unit (fcst.)	Inception to Date Capital Charge per unit (fcst.)	Paid at Time of Bldg Permit Application, No later than:		Fiscal Year	Basis	New fiscal year Capital Charge per unit (fcst.)	Inception to Date Capital Charge per unit (fcst.)
	Amount						Amount				
		2008-09	calculated	211.41	211	5/1/2018	1675	2018-19	Forecast	143.60	1,675
		2009-10	Actual	161.75	373	5/1/2019	1825	2019-20	Forecast	144.31	1,819
		2010-11	Actual	156.39	530	5/1/2020	1975	2020-21	Forecast	151.53	1,970
		2011-12	Actual	155.73	685	5/1/2021	2125	2021-22	Forecast	152.29	2,123
		2012-13	Actual	138.43	824	5/1/2022	2275	2022-23	Forecast	153.05	2,276
		2013-14	Actual	140.06	964	5/1/2023	2425	2023-24	Forecast	153.81	2,430
5/1/2014	1100	2014-15	Forecast	140.76	1,105	5/1/2024	2575	2024-25	Forecast	154.58	2,584
5/1/2015	1250	2015-16	Forecast	141.46	1,246	5/1/2025	2750	2025-26	Forecast	155.36	2,740
5/1/2016	1400	2016-17	Forecast	142.17	1,388	5/1/2026	2900	2026-27	Forecast	156.13	2,896
5/1/2017	1525	2017-18	Forecast	142.88	1,531	5/1/2027	3050	2027-28	Forecast	156.91	3,053



Trolley Depot Report

Mr. Ted Rauber, President of the Spencerport Depot and Canal Museum commented that as a side note to the sewers that this past March the pump station was transferred to Monroe County and that funds were kept on reserve in the event of a

situation with the pump station or forced main lines arose. Mr. Rauber continued that it was great summer for the museum and visitors center and that he traveled the Erie Canal this year by boat and found that a visitors' center is important to have. Mr. Rauber indicated that the visitors' center had over 2500 visitors and is run by over 70 volunteers.

Planning/Zoning/Building Control – Trustee Nellis-Ewell, Chair

Mayor Lobene commented that the Zoning Board met on September 17th granted a variance for a Coleman Avenue property for a porch and an area variance and special permit for a Lyell Avenue property for the construction of a garage and apartment. Mayor Lobene continued that ARB met and issued a certificate of appropriateness for a new sign for State Farm Insurance on Union Street and Countryside Page for two signs to be located on the two buildings and the owner of Countryside Page requested to be able to keep the red goose neck lights currently on the sign; the request was denied because red is not consistent with the lights on Union Street. Mayor Lobene added that she does not understand that decision.

Trustee Granger asked if something can be done about the shed located on the vacant lot on Union Street.

Mayor Lobene asked Attorney Olson what could be done.

Attorney Olson indicated that he will take a look at what can be done.

The owner of Café Macchiato, Mr. Goodison questioned what the ARB uses to come to an answer about a red light vs. white light. Is there a guide line or is it personal opinion. He continued that one may not even notice that the lights at Page Appliance are red and that there is a great deal of frustration that it becomes the personal opinion of the ARB members as to what color is acceptable and that color may work with the logo and look correct such as changing the red lights to white lights.

Mayor Lobene indicated that she understands the comments and asked Mr. David Wohlers, Chairman of the Planning Board and ARB.

Mr. Wohlers responded that Mr. Kenyon came into the ARB and asked for white goose neck lighting a day or two later installed red lights. Mr. Wohlers continued that the ARB has asked for white lighting along Union Street.

Mr. Goodison question was asked why white lighting.

Mr. Wohlers responded that white is not noticeable, improves esthetics.

Mr. Goodison commented that white removes esthetics and enhancing it may be a pop of color.

Mr. Wohlers responded that then you would have multiple colors along Union Street.

Mr. Goodison responded that would be correct and that color enhances the look of the sign and how it was determined that white was the appropriate color.

Mr. Wohlers responded that the ARB has guide lines for appropriate colors and wanted to keep the lighting colors of Union Street uniform and white was the choice.

- A. Planning
- B. Architectural Review
- C. Zoning
- D. Building Control
- E. Code Review

Finance Committee – Trustee Penders, Chair

Trustee Penders commented that he reviewed the ledger postings and that the annual independent audit has been completed and the Board will be looking at the auditors recommendations and the prior year’s recommendations have been addressed.

Facilities Committee – Trustee Hopson, Chair

A. Electric

Trustee Hopson requested that the letter dated August 13, 2013 to the Mayor and members of the Board from BST regarding the annual electric fund audit be read into the minutes.

“As with our prior visits to the Village, we continue to be impressed with the condition of the accounting and other financial records of the Electric Fund. Karen Kimbler, Pam Gilbert, Owen McIntee, and the Village’s accounting staff should be commended for their efforts. It is quite evident that the village’s accounting team is concerned with complete and accurate accounting and financial reporting within the Electric Fund.”

William C. Freitag, Partner

B. Other (Drainage, Franchise)

Public Works Committee – Trustee Granger, Chair

A. Highways/Garage

Resolution 53 10/2013

Introduced by: Trustee Granger

Seconded by: Trustee Penders

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the attendance of Superintendent West to the NYCOM Public Works Training School; Sunday, October 20th through Wednesday, October 23, 2013. Cost not to exceed \$245.00

Vote of the Board:	Glenn C. Granger, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Absent
	Gary Penders, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Joyce Lobene, Mayor	Aye

Trustee Granger indicated that the DPW has accomplished a great deal of work this season.

B. Public Services (Refuse, Recycling, Parks)

Public Safety Committee – Trustee Penders, Chair

A. Fire Department

B. Police

C. Ambulance

Human Resources Committee – Trustee Granger, Chair

Trustee Penders indicated the new pay schedule and merit increase schedule will be presented and that the Health Care committee met to review upcoming health care changes and that Bond Financial will be attending the Workshop meeting to review the various plans.

Economic Development Committee – Mayor Lobene, Chair

Green Initiatives – Trustee Nellis-Ewell, Chair

Village Clerk – Jacqueline Sullivan

Clerk Sullivan explained the “Walk through History” brochures and that money remains in the grant and that the “Pathways to the Past” program will be reintroduced for spring 2014.

Clerk Sullivan explained that the Christmas on the Canal committee requested to use the Gazebo and were informed that there is a \$25 charge to use the Gazebo. A committee member questioned why they are being charged and other community organizations are not charged.

Trustee Granger commented that he does not have an issue waiving the fee but he does feel that they are different from the Kiwanis and Rotary because they are self-serving.

Trustee Hopson commented that it is a small fee and if the Village waived the fee they are setting precedence.

Trustee Granger questioned if the Christmas on the Canal Committee ever gives anything back to the Village.

Clerk Sullivan responded no.

Trustee Granger made a motion to waive the \$25 rental fee for the Gazebo for the Christmas on the Canal Committee. The motion was not seconded.

Trustee Granger made a motion to waive \$24 of the \$25 rental fee for the Gazebo for the Christmas on the Canal Committee. The motion was not seconded.

Resolution 54 10/2013

Introduced by: Mayor Lobene

Seconded by: Trustee Penders

Be it resolved that the Village of Spencerport Board of Trustees approves the records retention project to renovate the records vault at the Village Office and Village DPW Shop to include upgrading of lighting, HVAC, shelving and supplies in the amount of \$42,683.00. NYS Department of Education – Local Government Records Improvement Fund (LGRIMF) will fund \$26,149 and the balance of \$16,534 to be funded by the current 2013/2014 budget.

Vote of the Board:	Glenn C. Granger, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Absent
	Gary Penders, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Joyce Lobene, Mayor	Aye

Clerk Sullivan explained that there have been issues with communication bandwidth in the Ogden Police cars streaming the Village’s security cameras and that she met with the camera vendor, Monroe County and Sargent Fitzgerald, OPD and it was determined that additional software is required to correct the communication issue. Clerk Sullivan added that the current IT budget can support this project.

Resolution 55 10/2013

Introduced by: Trustee Penders

Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees approves the quote for services from PinPoint Group for additional software to allow viewing of the video feed by the Ogden Police Department in an amount not to exceed \$1782.00.

Vote of the Board:	Glenn C. Granger, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Absent
	Gary Penders, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Joyce Lobene, Mayor	Aye

Superintendent of Public Works – Thomas M. West

Superintendent West indicated that work continues on sidewalks; possible purchases of vehicles and equipment at the municipal auction this Saturday and drainage work will be taking place on Coleman near Maplewood Avenue. Decking at the Depot will need to be replaced.

Trustee Hopson questioned what work was done at Fireman's park.

Superintendent West responded that blacktopping was done and the fire department paid for the blacktop.

Superintendent of Electric – Owen McIntee

Superintendent McIntee reported that Village crews were in the Village of Castile this week helping to relocate lines due to their Village Office burning down one year ago.

Attorney – Richard J. Olson

Unfinished Business

New Business

Bills

Motion was made by Trustee Hopson, seconded by Trustee Penders and carried unanimously that the monthly bills be paid as audited in the following amounts:

General Fund	\$ 94,629.73
Electric Fund	\$ 54,810.17
Sewer Fund	\$ 7,091.32
Trust Fund	\$ 2,393.17
Capital Fund	\$
TOTAL:	\$158,924.39

Motion was made by Trustee Hopson, seconded by Trustee Penders and carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, October 2013 be approved as audited.

Adjournment

Motion was made by Trustee Penders, seconded by Trustee Hopson and carried unanimously that the regular meeting be adjourned 8:40 p.m.